

REMARKS

This is in response to the Office Action dated September 25, 2007. Claims 1-9 and 29 are pending.

Claim 1 stands rejected under Section 102 and 103 as being allegedly unpatentable over Loomis (US 4,419,256). These rejections are respectfully traversed.

Claim 1 requires “a mixture comprising fiberglass and cellulose, where the mixture comprises from about 15-60% cellulose and from about 40-85% fiberglass; and wherein the loose-fill insulation has an R-value/inch of at least about 2.4 when blown dry into and/or onto an area including a flat supporting surface.” Loomis fails to disclose or suggest these features.

Loomis disclosures a mixture including 35-53% cellulose and 35-53% mineral wool. However, contrary to the apparent allegations in the Office Action, Loomis’ “mineral wool” is not fiberglass. Loomis makes this clear by referring to fiberglass separates from mineral wool (compare Loomis at col. 1, lines 7-8 vs. col. 3, line 44). Thus, Loomis fails to disclose or suggest the about 40-85% fiberglass requirement of claim 1. Instead, Loomis teaches away from this requirement by using only 7-9% silicate “glass.” Thus, Loomis desires much less than the claimed glass amount. The Supreme Court has emphasized that prior art teaching away from the claimed invention is indicative of nonobviousness. *KSR Int’l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1740 (2007).

Because Loomis fails to disclose or suggest the about 40-85% fiberglass requirement of claim 1, the rejection is flawed and should be withdrawn. Moreover, there is no logical reason why one of ordinary skill would have modified Loomis to meet the invention of claim 1 in this respect.

Claim 29 defines over the cited art in a similar manner.

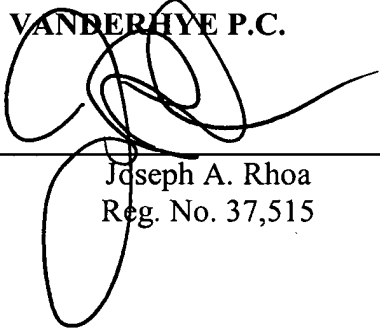
CHURCH et al.
Appl. No. 10/849,529
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It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance.

Respectfully submitted,

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